

HOUSE BILL 253

By Parkinson

AN ACT to amend Tennessee Code Annotated, Title 36
and Title 39, relative to parentage fraud.

WHEREAS, a parent has a fundamental right to be involved in the lives of the parent's children; and

WHEREAS, a child should know the identity of the child's parents for many reasons, including, but not limited to, allowing the child to learn about the family's medical history and benefiting from inheritance laws; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 14, Part 1, is amended by adding the following as a new section:

(a) A person commits parentage fraud who:

(1) Seeks to legally establish the individual as the biological parent of a child in the person's custody with intent to deprive the individual of property or to prevent the child's actual biological parent from exercising parental rights to the child and the person knows or reasonably should know that the individual is not the child's biological parent; or

(2) Seeks to be legally established as a child's parent based on the person's status as a biological parent of the child and the person knows or reasonably should know that the person is not the child's biological parent.

(b) Parentage fraud is a Class A misdemeanor.

(c) Subsection (a) does not apply when:

(1) The child involved was conceived as a result of an act that would be aggravated rape, as defined in § 39-13-502; rape, as defined in § 39-13-503; rape of a child, as defined in § 39-13-522; especially aggravated rape, as defined in § 39-13-534; or especially aggravated rape of a child, as defined in § 39-13-535;

(2) The child involved has been or is in the process of being adopted; or

(3) The victim of the offense was the defendant's spouse at the time of the offense.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.